

September 11, 2019

**VIA ECF**

Honorable Kevin P. Castel  
United States District Court  
Southern District of New York  
500 Pearl Street, Rm 11D  
New York, NY 10007

Re: *Pierson v. Facebook, Inc., 1:19-cv-00397 (PKC)*

Dear Judge Castel:

We represent Plaintiff Kristen Pierson (“Plaintiff”) in the above-captioned case and write to respectfully request an extension of time on the interim deadline to take depositions, which is currently set for September 15, 2019. Fact discovery is due by October 30, 2019 and Plaintiff respectfully requests that the Court extend the interim deadline to take depositions until October 30, 2019.

As grounds for the present request, Plaintiff submits that Defendant Facebook, Inc. (“Defendant”) failed to disclose certain key witnesses in their Rule 26(a) initial disclosures. During Plaintiff’s deposition of Defendant’s 30(b)(6) witness, Plaintiff learned of additional witnesses with personal knowledge of the operative facts underlying the alleged infringement. Accordingly, Plaintiff would like to move forward with deposing such witnesses and does not believe that Defendant will suffer any prejudice if the request is granted.

Defendant opposes this request and argues that the names of the proposed deponents could be gleaned from certain e-mails that Plaintiff had in its possession. But the documents should not be a substitute for Defendant’s obligation to disclose key witnesses as part of their Rule 26(a) disclosures. Accordingly, Plaintiff respectfully requests that the Court extend the deadline to conduct depositions until October 30, 2019.

This marks the second request for an extension during the discovery period, which was previously granted.

Respectfully Submitted,

*/richardliebowitz/  
Richard Liebowitz  
Counsel for Plaintiff*